

<b>PETITION FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED PATENT APPLICATION 37C.F.R.§1.137(b)</b>		Docket No. G003-7254
Applicant:	Michael J. LONSWAY	
Serial No:	10/828,759	
Filed:	April 21, 2004	
For:	PLASTIC CONTAINER AND METHOD OF INTEGRALLY SECURING A NECK ATTACHMENT THERETO	
Examiner:	Sue A. Weaver	
Art Unit:	3781	

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office action plus any extensions of time actually obtained.

### APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

#### 1. Petition fee

- ☐ Small entity-fee **\$770.00**. Applicant claims small entity status. See 37 C.F.R. §1.27.  
☒ Other than small entity – fee **\$1,540.00** (37 C.F.R. §1.17(m))

#### 2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of an AMENDMENT:  
☐ has been filed previously on .  
☒ is enclosed herewith.
- B. The issue fee of and publication fee (if applicable) of \$1,400.00:  
☐ has been filed previously on .  
☐ is enclosed herewith.

#### 3. Terminal Disclaimer

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of **\$65.00** for a small entity or **\$130.00** (for other than a small entity) disclaiming the required period of time is enclosed herewith.

#### 4. Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

☐ Additional sheets are enclosed containing statements establishing unintentional delay

#### Fee Calculation

Petition fee (37 CFR 1.17(m))	\$1,540.00
Issue Fee (if applicable)	\$0.00
Reduction by one-half for small entity	<u>\$ 0.00</u>
<b>TOTAL Fee Due</b>	<b>\$1,540.00</b>

#### Payment

- ☒ Online payment in the amount of the fee is being submitted herewith.
- ☐ The Commissioner is authorized to charge the total fee due to deposit account 02-3038. A duplicate of this sheet is attached.
- ☒ The Commissioner is hereby authorized to charge any extension fees or other fees under 37 C.F.R. §1.16 and §1.17 that may be required, or credit any overpayment, to Deposit Account No. 02-3038.

Respectfully submitted,

/maria t. bautista/ \_\_\_\_\_ Date: 2007.12.07  
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